

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

Docket No. 04 CR 1016 (NGG)

RONELL WILSON,

Defendant.

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**NOTICE OF REQUEST FOR A PRETRIAL DETERMINATION THAT RONELL
WILSON IS A PERSON WITH MENTAL RETARDATION AND THEREFORE
INELIGIBLE TO RECEIVE A SENTENCE OF DEATH**

The defendant, Ronell Wilson, by and through counsel, hereby requests this Court to hold a pretrial hearing to determine whether he is a person with mental retardation. The Federal Death Penalty Act provides that “[a] sentence of death shall not be carried out on a person who is mentally retarded.” 18 U.S.C. § 3596(c). This prohibition is constitutionally required. Atkins v. Virginia, 536 U.S. 304 (2002). After preliminary investigation, Mr. Wilson’s counsel believes that his execution should be barred under the statute and the Eighth Amendment.

Dated: New York, NY
February 1, 2012



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